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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: C.A. Blau et al. Attorney Docket No.: UWOTL115624  
Application No.: 09/582,916 Art Unit: 1633 / Confirmation No: 4343  
Filed: October 2, 2000 Examiner: A.M.S. Wehbe  
Title: METHOD OF CONTROLLING CELL DIFFERENTIATION AND  
GROWTH USING A FUSION PROTEIN AND A DRUG

DECLARATION UNDER 37 C.F.R. § 1.132

I, Carl Anthony Blau, hereby declare as follows:

1. I am a co-inventor named in the above-identified patent application and I have read and understand the specification and claims of this patent application.
2. I am listed as a co-author, together with David M. Spencer, Kenneth R. Peterson, and Jonathan G. Drachman on the following publication:  
"A proliferation switch for genetically modified cells," *Proc. Natl. Acad. Sci. USA* 94: 3076-81, April 1997.
3. With respect to the invention disclosed and claimed in the above-identified patent application, the co-authors Kenneth R. Peterson and Jonathan G. Drachman learned or received knowledge about the invention from me. The co-authors Peterson and Drachman are not co-inventors of the subject matter of the invention of the above-identified application. Peterson and Drachman were involved with the subject matter of the invention solely to carry out specific work that I asked them to do in support of research being conducted by David M. Spencer and myself. As we were on friendly terms, both Peterson and Drachman readily agreed to cooperate. Peterson was included as co-author in the above-cited article in order to receive credit for having performed, at my personal request, RNase protection assays to detect various types of globin transcripts for the project. Similarly, Drachman was included as co-author on the above-mentioned article to acknowledge his having, at my request, conducted some Western blots on

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samples I provided to him. I asked my colleagues Drachman and Peterson to do these things for me merely as a matter of convenience, as their laboratories already were set up for these routine procedures while my own was not.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date Nov 7, 2006

Carl Anthony Blau  
Carl Anthony Blau

DX:ej

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